IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

RP.No. 239 of 2005(N)

AGAINST THE JUDGEMENT/ORDER IN WPC.29951/2003
.....

REVIEW PETITIONERS,RESPODNENTS IN WPC.
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1. THE STATE OF KERALA, REPRESENTED BY
   REVENUE SECREARY, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR, COLLECTORATE,
   KAKKANAD, ERNAKULAM.

3. THE TAHSILDAR, TALUK OFFICE,
   MUAVATTUPPUZHA.

4. TODDY WORKERS WELFAE FUND INSPECTOR,
   ERNAKULAM.

R1 TO 3 BY GOVERNMENT PLEADER SMT.BINDU

RESPONDENTS: PETITIONER IN WPC.

M.K.SHAJI, MUNDUKKUDIYIL HOUSE,
VALAKOM P.O. MUVATTUPPUZHA.

BY ADV. SRI.P.BABU KUMAR

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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R.P. No.239 of 2005 in
W.P.(C) No.29951 of 2003

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Dated this the 27th day of February, 2007.

ORDER

Review is filed stating that defaulters are still in arrears of abkari dues. The W.P. was disposed of on the basis that liability for which property was taken over by the Government was only towards Toddy Workers Weflare Fund. The property was ordered to be reconveyed on payment of Welfare Fund dues. If abkari arrears are also due, then defaulters are liable to clear the same. In the circumstances, review is allowed modifying the judgment with direction to the Tahsildar to lift the attachment and reconvey the property on defaulters clearing the entire arrears, details of which will be furnished to them on production of copy of this order. Since respondent's counsel submitted that payments referred to in the R.P. have been made, it is for the Tahsildar to verify the same on production of receipts by the petitioner in the W.P. However, property will be reconveyed on clearing entire arrears details of which will be furnished by the Tahsildar to the defaulters.

C.N.RAMACHANDRAN NAIR
Judge

pms